



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

RQ-2

Ellen R. Malcolm, Treasurer  
Emily's List  
1112 16th Street, NW, Ste. 750  
Washington, DC 20036

OCT 5 1994

Identification Number: C00193433

Reference: July Monthly Report (6/1/94-6/30/94)

Dear Ms. Malcolm:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Transfers to affiliated/other party committees should be properly disclosed on a separate Schedule B, supporting Line 22 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please

clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received impermissible funds, the Commission recommends that you transfer the impermissible funds to an account not used to influence federal elections or refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). The Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of receiving a refund or granting written authorization for a transfer to another account.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-Please amend Schedule B supporting Line 23 by providing the election designation for each contribution made to a federal candidate. 11 CFR §§104.3(b)(3)(ii) and (v)

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Erica Holder  
Reports Analyst  
Reports Analysis Division

EMILY'S LIST  
Schedule A -- Itemized Receipts  
06/01/94 - 06/30/94

Page 1 of 1  
Line 11(c)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the names and address of any political committee to solicit contributions from such committee.

Bernice Johnson for Congress      Employer:      06/29/94      100.00  
2315 McKinney Avenue, Ste. 8  
Dallas, TX 75201      Occupation:

Aggregate Year to Date:  
100.00

Mary Landrieu Campaign      Employer:      06/29/94      1,000.00  
P.O. Box 1147  
Baton Rouge, LA 70821      Occupation:

Aggregate Year to Date:  
1,250.00

Citizens for Miller Campaign      Employer:      06/29/94      100.00  
32103 E. Ryan Road  
Grain Valley, MO 64029      Occupation:

Aggregate Year to Date:  
100.00

Subtotal this page:      1,200.00  
Total this period:      1,200.00

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